

# IN THE MAGISTRATE COURT OF MARSHALL COUNTY, WEST VIRGINIA

State of West Virginia

Case No. \_\_\_\_\_

19-m25m-01223

☒ Misdemeanor/ ☐ Felony

MICHAEL JOSEPH MARONEY

XXX-XX- 0664

08 MAR 1968

Defendant (Full Name)

Social Security Number

Date of Birth

509 WHEELING AVENUE

WV OLN: E366438

Address

Driver's License / Identification Number

GLEN DALE, WV, 26038, USA

LAST KNOWN CELL NUMBER: (304) 281 - 2080

City, State & Zip Code

Phone Number(s)

## CRIMINAL COMPLAINT

*Mag., Ct. Criminal Procedure Rule 3, 4; 18 U.S. C § 921(a)(33)*

I, the undersigned complainant, upon my oath or affirmation state the following is true and correct to the best of my knowledge and belief. On or about 14 MAY 2019 in Marshall County, West Virginia, in violation of West Virginia Code § (Cite specific section, subsection, and/or subdivision, if applicable)

61-10-31(1) CONSPIRACY / 61-8-5(a) HOUSE OF PROSTITUTION / 61-8-5(b) PROSTITUTION, the defendant did (state statutory language of the offense)

REFER TO ATTACHMENT A.

I Further state that this complaint is based upon the following facts:

REFER TO ATTACHMENT B.

Continued on an attached sheet'.) ☒ Yes ☐ No

(If this complaint involves misdemeanor assault / battery [West Virginia Code § 61-2-9] or misdemeanor domestic assault / battery [West Virginia Code § 61-2-28], check all that apply.)

The defendant

☐ is/was the victim's spouse.

☐ is/was living with the victim as a spouse, parent, or guardian.

☐ is/was a parent or guardian of the victim.

☐ is a person who is like a spouse, parent, or guardian of the victim.

☐ has a child in common with the victim.

☒ has none of the above connections to the victim.

Complainant (who appears before Magistrate):

PATROLMAN EZEKIEL GODDARD

Complainant Name (Full Name)

402 WHEELING AVENUE

Address

GLEN DALE, WV, 26038, USA

City, State & Zip) Code

(304) 845-5511

Phone Number(s)

POLICE OFFICER

Office or Title, if any

On this complaint, sworn or affirmed before me and signed in my presence on this date by the complainant, the item(s) checked below apply:

Finding

Issuance

☐ No probable cause found

☐ Summons issued

☒ Probable cause found

☒ Warrant issued

☐ Warrantless arrest

Date 27 AUG 2019 Complainant Signature 

Date 8/27/19

Magistrate Signature 

## ATTACHMENT A.

## 61-10-31: CONSPIRACY -

It shall be unlawful for two or more persons to conspire (1) to commit any offense against the state or (2) to defraud the state, the state or any county board of education, or any county or municipality of the state, if, in either case, one or more of such persons does any act to effect the object of the conspiracy.

Any person who violates the provisions of this section by conspiring to commit an offense against the state which is a misdemeanor shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by confinement in the county jail for not more than one year or by a fine of not more than \$1,000, or, in the discretion of the court, by both such confinement and fine.

## 61-8-5(a): HOUSE OF ILL FAME AND ASSIGNATION -

(a) Any person who shall keep, set up, maintain, or operate any house, place, building, hotel, tourist camp, other structure, or part thereof, or vehicle, trailer, or other conveyance for the purpose of prostitution, lewdness, or assignation; or who shall own any place, house, hotel, tourist camp, other structure, or part thereof, or trailer or other conveyance knowing the same to be used for the purpose of prostitution, lewdness, or assignation, or who shall let, sublet, or rent any such place, premises, or conveyance to another with knowledge or good reason to know of the intention of the lessee or rentee to use such place, premises, or conveyance for prostitution, lewdness, or assignation; or who shall offer, or offer to secure, another for the purpose of prostitution, or for any other lewd or indecent act; or who shall receive or offer or agree to receive any person into any house, place, building, hotel, tourist camp, or other structure, or vehicle, trailer, or other conveyance for the purpose of prostitution, lewdness, or assignation, or to permit any person to remain there for such purpose; or who for another or others shall direct, take, or transport, or offer or agree to take or transport, or aid or assist in transporting, any person to any house, place, building, hotel, tourist camp, other structure, vehicle, trailer, or other conveyance, or to any other person with knowledge or having reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution, lewdness, or assignation; or who shall aid, abet, or participate in the doing of any acts herein prohibited, shall, upon conviction for the first offense under this section, be punished by imprisonment in the county jail for a period not less than six months nor more than one year, and by a fine of not less than \$100 and not to exceed \$250, and upon conviction for any subsequent offense under this section shall be punished by imprisonment in the penitentiary for a period of not less than one year nor more than five years.

## 61-8-5(b): PROSTITUTION -

(b) Any person who shall engage in prostitution, lewdness, or assignation, or who shall solicit, induce, entice, or procure another to commit an act of prostitution, lewdness, or assignation; or who shall reside in, enter, or remain in any house, place, building, hotel, tourist camp, or other structure, or enter or remain in any vehicle, trailer, or other conveyance for the purpose of prostitution, lewdness, or assignation; or who shall aid, abet, or participate in the doing of any of the acts herein prohibited, shall, upon conviction for the first offense under this section, be punished by imprisonment in the county jail for a period of not less than sixty days nor more than six months, and by a fine of not less than \$50 and not to exceed \$100; and upon conviction for the second offense under this section, be punished by imprisonment in the county jail for a period of not less than six months nor more than one year, and by a fine of not less than \$100 and not to exceed \$250, and upon conviction for any subsequent offense under this section shall be punished by imprisonment in the penitentiary for not less than one year nor more than three years.

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Complaint Continued)

## ATTACHMENT B.

\_\_\_\_\_RS WITH THE GLEN DALE POLICE DEPARTMENT (402 WHEELING AVENUE, GLEN DALE, MARSHALL COUNTY, WEST VIRGINIA (WV), 26038, USA) HAVE BEEN CONDUCTING A PROSTITUTION INVESTIGATION INTO CORTNIE ANN CLARK (DATE OF BIRTH (DOB): 31 MARCH 1989 / WV DRIVERS LICENSE NUMBER (OLN): F306913), A RESIDENT OF 620 GLEN HAVEN AVENUE, GLEN DALE. MRS CLARK'S RESIDENCE WAS ULTIMATELY DISCOVERED TO BE IN ABSOLUTELY DEPLORABLE CONDITIONS, WITH USED CONDOMS LAYING ABOUT THE FLOORS, USED AND UNCAPPED HYPODERMIC NEEDLES THROUGHOUT, AN UNIMAGINABLE AMOUNT OF HUMAN FECES AND HUMAN URINE THROUGHOUT THE HOUSE, AND A VAST ARRAY OF TRASH EVERYWHERE

MRS CLARK IS SUSPECTED OF ENGAGING IN PROSTITUTION THROUGH HER CELL PHONE - (304) 559-4856, SKIPTHEGAMES.COM, EROTICMONKEY.COM, AND SEVERAL OTHER WEBSITES WHICH ARE KNOWN TO OFFER AND EXPLOIT PROSTITUTION. OFFICERS HAVE DETERMINED THAT MOST GENTLEMEN CONTACTING MRS CLARK ARE SOLICITING HER FOR SEX. THROUGH THE AFOREMENTIONED WEBSITES, MRS CLARK PROVIDES HER PHOTOGRAPHS, CELL PHONE NUMBER, EMAIL ADDRESS, AND HER "INCALL RATES" OF \$120.00 FOR "30 MINUTES" AND \$190.00 FOR "60 MINUTES". PHOTOGRAPHS ARE TYPICALLY EXCHANGED PRIOR TO MRS CLARK MEETING THESE GENTLEMEN FOR SEX-FOR-MONEY.

AS A RESULT OF THIS INVESTIGATION, MRS CLARK WAS ARRESTED ON 14 JUNE 2019, AND CHARGED WITH PROSTITUTION AND OPERATING A HOUSE OF PROSTITUTION. SUBSEQUENTLY, MRS CLARK ADMITTED DURING SEVERAL INSTANCES THAT SHE IS A PROSTITUTE. MRS CLARK HAS FURTHER CONFIRMED WHAT SHE CHARGES GENTLEMEN FOR HER SEXUAL SERVICES: "\$120.00 FOR A HALF-AN-HOUR" AND "\$190.00 FOR AN HOUR". MRS CLARK FURTHER ADMITTED TO BECOMING A PROSTITUTE SO SHE COULD PURCHASE NARCOTICS, SPECIFICALLY HEROIN. FURTHERMORE, TWO (2) INDIVIDUALS HAVE ALREADY PLED GUILTY TO SOLICITING MRS CLARK FOR PROSTITUTION VIA ELECTRONIC COMMUNICATIONS.

THROUGHOUT THIS INVESTIGATION, PTLM GODDARD DISCOVERED AN INDIVIDUAL UTILIZING THE CELL PHONE NUMBER OF (304) 281 - 2080 TO BE SOLICITING SEX FROM MRS CLARK IN EXCHANGE FOR MONEY; SPECIFICALLY, "120hh190hr", AS MRS CLARK ADVISED THROUGH A TEXT MESSAGE ON 14 MAY 2019, AT APPROXIMATELY 2200 HOURS (HEREAFTER, ALL TIMES WILL BE UNDERSTOOD TO BE APPROXIMATE). A SEARCH OF CELL PHONE NUMBER (304) 218-2080 WAS CONDUCTED THROUGH RESOURCES AVAILABLE TO LAW ENFORCEMENT, WHICH INDICATED THIS NUMBER IS REGISTERED TO MICHAEL J. MARONEY, WITH AN ADDRESS OF 509 WHEELING AVENUE, GLEN DALE, WV

IT WAS FURTHER DETERMINED THAT THE PROVIDER FOR THIS CELL PHONE IS AT&T. AT&T WAS THEN SERVED WITH A SEARCH WARRANT TO OBTAIN THE SUBSCRIBER INFORMATION. THE INFORMATION PROVIDED FROM THE SEARCH WARRANT INDICATED THE OWNER OF THIS CELL PHONE NUMBER IS "MM RADIOLOGY ASSOCIATES", WITH A USER ADDRESS OF 1 MEDICAL PARK, WHEELING, WV, 26003. THE CONTACT NAME WAS "MM RADIOLOGY ASSOCIATES". OFFICERS ARE AWARE THAT MR MARONEY IS A RADIOLOGIST.

THE FIRST DOCUMENTED TEXT MESSAGE WAS OBSERVED ON 14 MAY 2019, AT 1211 HOURS, WHEN MRS CLARK ASKED, "U call last night". AT 1418 HOURS, MRS CLARK RECEIVED THE FOLLOWING RESPONSE, "yes i can call tonight too at about same time i work until 2am". MRS CLARK RESPONDED, "Ok". AT 2200 HOURS, MRS CLARK WAS ASKED, "Is tonight ok? Around 2:15." MRS CLARK ADVISED, "Yea it's 120hh190hr I will be at rental house at 2 waiting for u". AT THIS JUNCTURE, MRS CLARK AND THIS INDIVIDUAL ENGAGED IN CONVERSATION ABOUT THE MONETARY AMOUNT AND THE LENGTH OF TIME FOR HER SEXUAL SERVICES. THROUGHOUT THIS INVESTIGATION, MRS CLARK HAS BEEN DISCOVERED TO REFER TO HER RESIDENCE AT 620 GLEN HAVEN AVENUE AS HER "RENTAL", WHERE SHE CONDUCTS HER PROSTITUTION AND DRUG ACTIVITIES.

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(Criminal Complaint Continued)

B.

MRS CLARK WAS ASKED, "what is the address". SHE ANSWERED, "Glen dale I will give address when u are headed this way". THROUGHOUT THEIR CONVERSATION, MRS CLARK REQUESTED A PHOTOGRAPH OF THE PERSON SOLICITING HER, AS SHE ROUTINELY DEMANDS. MRS CLARK RECEIVED THE FOLLOWING STATEMENT, "i cant send pic....but i am normal and nice". MRS CLARK REPLIED, "I cant meet w out pic sorry. Have a good night babe". MRS CLARK THEN RECEIVED, "ok sorry i could be a regular". MRS CLARK THEN REPLIED, "I dont know u and I need to see if u someone I want to meet and to make sure I dont know u. I got robbed the other day from a guy using multiple numbers. Sorry". THIS PERSON STATED, "but i hope u understand i cant send pic". LATER, THIS PERSON CONTINUED, "if u reconsider....and i hope you do.....text me i drive by GD on my way home and would like to have an occasional stop". UNDETERRED, MRS CLARK WROTE, "I dont meet anyone without a picture sorry I am very careful who I meef because of my job. have a good night babe". THIS PERSON REMAINED PERSISTENT AND STATED, "i want to meet...if i send pic....is it a go?" MRS CLARK ANSWERED, "Yea".

ON 16 MAY 2019, AT 0108 HOURS, MRS CLARK RECEIVED A PHOTOGRAPH FROM THIS GENTLEMAN, WHO WAS LOOKING DIRECTLY INTO THE CAMERA LENS, SMILING, AND WEARING A LIGHT BLUE-IN-COLOR POLO-LIKE SHIRT, CLEARLY DISPLAYING HIS IDENTITY. AT 0126 HOURS, MRS CLARK RECEIVED THE FOLLOWING MESSAGE FROM THIS GENTLEMAN, "now can i stop by". PTLM GODDARD COMPARED THIS PHOTOGRAPH WITH MICHAEL JOSEPH MARONEY'S WV OLN (E366438) PHOTOGRAPH AND BELIEVES BOTH PICTURES TO BE OF MR MARONEY.

ON 05 JUNE 2019, AT 2335 HOURS, MR MARONEY ASKED, "Can I stop by for a massage?" AT 2350, MR MARONEY CONTINUED, "quick in and out". AT 2351, MRS CLARK REPLIED, "Ys". MR MARONEY THEN REQUESTED AN ADDRESS, TO WHICH MRS CLARK ADVISED, "It's 120 I can do a car date. Glen haven ave Glen Dale". MR MARONEY RESPONDED, "no prob with the 120.....i can be there in 10 min". MRS CLARK STATED, "Ok tell me when to come outside just park in drive way and we can mess around there". AT A LATER TIME, MRS CLARK WROTE, "Ok when u are on street tell me to come outside. I just dont want u to be a cop". ON 06 JUNE 2019, AT 0001 HOURS, MR MARONEY ADVISED, "i am not a cop". AT 0030 HOURS, MR MARONEY SAID, "i am not sure why my car alarm was going off but i think it is because of a motion detector after being off for a certain amount of time sorry". MR MARONEY STATED, "i was very nervous being in a car", WHICH IS AN ABRIDGED QUOTE. IN ANOTHER ABRIDGED QUOTE, MR MARONEY WROTE, "i am totally free tomorrow and a few days next week and can provide a place if you cant.....if you are interested , let me know". ALSO, ON 06 JUNE 2019, AT 2332 HOURS, MR MARONEY STATED, "I can be there in 15 min Inside tonight?" SHORTLY THEREAFTER, MRS CLARK RESPONDED, "Yea babe that is a rental house though its a mess b there in 10". MR MARONEY REPLIED, "ok...see ya in 15 mini dont care about a mess".

THE LAST DOCUMENTED MESSAGE BETWEEN MRS CLARK AND MR MARONEY WAS OBSERVED ON 13 JUNE 2019, AT 2014 HOURS, AT WHICH TIME MRS CLARK SENT MR MARONEY A PHOTOGRAPH OF HERSELF, WITH THE FOLLOWING ATTACHED MESSAGE, "Come  me :)".

PURSUANT TO A SEARCH WARRANT, A CELL PHONE WAS SEIZED FROM A VEHICLE BELONGING TO MR MARONEY. OFFICERS CALLED THE NUMBER COMMUNICATING WITH MRS CLARK AND THE CELL PHONE SEIZED FROM MR MARONEY'S VEHICLE RANG.

